IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

C.R.P.No. 241 of 2007

O.P.(EL)86/1999 of ADDL. DISTRICT COURT, NORTH PARAVUR

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REVN. PETITIONER: RESPONDENT IN O.P.

THE KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, VYDYUTHI BHAVANAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.S.ANIL, SC, KSEB

RESPONDENTS: PETITIONER IN O.P.

MR.BABY PAUL, S/O.PAULOSE,
CHEMBAKASSERY HOUSE, NEDUMBASSERY VILLAGE,
ALUVA TALUK, ERNAKULAM DISTRICT.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

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C.M.Appl.NO.297 OF 2007 &
C.R.P.No.241 OF 2007

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Dated this the 14th day of March 2007

ORDER

C.M.Appl.NO.297 OF 2007

This is an application seeking for condonation of delay of 429 days in filing the revision. There is no representation for the petitioner. I have perused the petition and the affidavit filed in support of the petition seeking for condonation of delay. It is seen from the order impugned that the order was passed on 21.12.2004; that copy was applied for on 3.1.2005; copy was ready on 7.4.2005 and it was delivered on 12.4.2005. The revision was filed only on 31.1.2006, after more than one year and 4 months. The explanation offered for the delay in the affidavit filed by the Assistant Executive Engineer of the petitioner/Board in para 2 is as follows:

> " Thereafter the Counsel appearing for the K.S.E. Board before the court below sent the certified copy along with his opinion to file revision petition against the above Elec. O.P. to the K.S.E. Board. The Board accorded sanction for filing the revision. In the meanwhile there was some delay in transmitting the copies of the lower court records and hence there

occurred some delay in filing the above revision petition. The delay is due to administrative reasons. The delay was neither intentional nor wilful."

There is no whisper as to when the counsel forwarded the copy of the order with his legal advice to the petitioner/Board and when the Board accorded sanction to file revision. The explanation is only that in the above process some delay occurred in filing the revision and that was due to administrative reasons. What caused the administrative delay of more than one year and four months is not at all explained. There is no sufficient reason to condone the delay of as many as 429 days in filing the revision in the above circumstances. In the result, I dismiss the C.M. Application refusing to condone delay.

C.R.P.241/07

C.M.Application seeking for condonation of delay of 429 days is dismissed. Consequently, this revision filed, much beyond time, is not maintainable and is dismissed.

K.P.BALACHANDRAN, JUDGE

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